

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

KATHLEEN ELLSWORTH and
LOU SCHMIDT, CO-PERSONAL
REPRESENTATIVES OF THE
WRONGFUL DEATH ESTATE
OF BRANDI LYNN SCHMIDT, Deceased,

Plaintiffs,

vs.

No. CIV 12-1279 JB/ACT

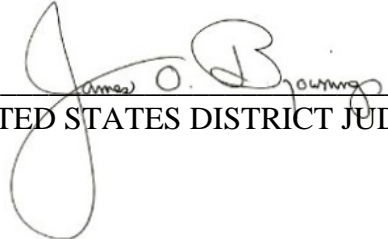
PROGRESSIVE NORTHWESTERN
INSURANCE COMPANY, a for-profit Wisconsin
Insurance Corporation, UNITED FINANCIAL
CASUALTY COMPANY, a for-profit Ohio
Insurance Corporation, and LETCHER,
GOLDEN & ASSOCIATES, INC.,
a for-profit New Mexico Corporation,

Defendants.

FINAL JUDGMENT

THIS MATTER comes before the Court on the Court's Memorandum Opinion, filed October 31, 2013 (Doc. 34)("Opinion"). In its Opinion, the Court concluded that it does not have subject-matter jurisdiction over this case, because the Defendants have failed to sustain their burden of demonstrating that the Plaintiffs fraudulently joined Defendant Letcher, Golden, & Associates, Inc. Consequently, the Court remanded the case to the First Judicial District Court, County of Rio Arriba, State of New Mexico for lack of subject-matter jurisdiction. Because the Court's Opinion disposes of all issues and claims before the Court, pursuant to rule 58 of the Federal Rules of Civil Procedure, the Court now enters final judgment in this matter.

IT IS ORDERED that this case and all Plaintiffs Kathleen Ellsworth and Lou Schmidt's claims against the Defendants are remanded to the First Judicial District Court, County of Rio Arriba, State of New Mexico. The Court enters final judgment on this matter.


UNITED STATES DISTRICT JUDGE

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